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Of Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

WILLIAM LUCERO,

Plaintiff,

v.

NORTH BEND SCHOOL DISTRICT #13, a
municipal corporation of the State of Oregon;
NORTH BEND SCHOOL DISTRICT #13
BOARD OF DIRECTORS; WILLIAM
YESTER, individually and in his capacity as
Superintendent for NORTH BEND SCHOOL
DISTRICT #13; and REBEKAH JACOBSON,
individually and in her capacity as attorney for
NORTH BEND SCHOOL DISTRICT #13,

Defendants.

No. 6:19-cv-00506-MK

**STIPULATED MOTION TO DISMISS
FEDERAL CLAIMS AND TO
REMAND REMOVED ACTION**

William Lucero (“plaintiff”) and North Bend School District #13, North Bend School
District #13 Board of Directors, William Yester, and Rebekah Jacobson (collectively
“defendants”) stipulate as follows:

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1. On March 11, 2019, plaintiff commenced an action in the Coos County Circuit Court entitled *William Lucero v. North Bend School District #13, a municipal corporation of the State of Oregon, North Bend School District #13 Board of Directors, William Yester, individually and in his capacity as Superintendent for North Bend School District #13, and Rebekah Jacobson, individually and in her capacity as attorney for North Bend School District #13*, Case No. 19CV11318 (the “Action”).

2. On April 8, 2019, after acknowledging service of the complaint, defendants filed a notice of removal of the Action pursuant to U.S.C. §§ 1441 and 1446 with the United States District Court in the District of Oregon, Eugene Division.

3. On April 8, 2019, defendants completed the removal process by filing a conformed copy of the notice of removal with the Coos County Circuit Court.

4. The Action includes two federal law claims brought pursuant to 42 U.S.C. § 1983. Plaintiff’s seventh claim for relief alleges deprivation of plaintiff’s constitutionally protected property interest, and plaintiff’s eighth claim for relief alleges deprivation of plaintiff’s constitutionally protected liberty interest.

5. After conferral, plaintiff agrees to dismiss the two federal law claims with prejudice, and the parties agree that the remaining claims should be remanded to the Coos County Circuit Court.

6. To that end, the parties hereby stipulate that plaintiff’s seventh and eighth claims for relief brought pursuant to 42 U.S.C. § 1983 be dismissed with prejudice, and the Action be remanded to the Coos County Circuit Court for resolution of plaintiff’s remaining claims.

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7. The parties further stipulate that each party shall bear its own attorneys' fees and costs with respect to the removal and subsequent remand of the Action pursuant to this stipulation and order.

Respectfully submitted this 24th day of April, 2019.

HART WAGNER, LLP

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RI LAW GROUP, LLC

By: /s/ H. Roland Iparraguirre
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Shannon N. Rickard, OSB No. 011572
Of Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on the 24th day of April, 2019, I served the foregoing **STIPULATED MOTION TO DISMISS FEDERAL CLAIMS AND TO REMAND REMOVED ACTION** on the following party at the following address:

H. Roland Iparraguirre
Shannon N. Rickard
RI Law Group, LLC
10121 SE Sunnyside Rd Ste 300
Clackamas, OR 97015
Of Attorneys for Plaintiff

by electronic means through the Court's Case Management/Electronic Case File system.

/s/ Karen O'Kasey

Karen O'Kasey